

**CHAPTER 20:18:12.01**  
**OPERATION OF GAMING ESTABLISHMENTS**

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**20:18:12.01:01. Gaming by licensees.** A person who is licensed as a key employee, operator, or retailer may not play or be permitted to play or place a wager, except as a dealer, in any game in the licensed establishment where the person is employed or in which the person owns an interest except as permitted by this section. A licensee may play in a poker game but must wear an identification badge furnished by the commission.

Any licensee employed by a manufacturer or distributor licensed under 42-7B may not play any device operating on a slot management system which

the manufacturer sells or leases or play any device which the manufacturer sells or leases.

**Source:** 16 SDR 57, effective October 1, 1989; 16 SDR 233, effective July 1, 1990; 18 SDR 9, effective July 23, 1991; transferred from § 20:18:21:03, 21 SDR 98, effective November 30, 1994; 22 SDR 189, effective July 11, 1996.

**General Authority:** SDCL 42-7B-7, ~~42-7B-11~~.

**Law Implemented:** SDCL ~~42-7B-2, 42-7B-2.1, 42-7B-3, 42-7B-4, 42-7B-7, 42-7B-11(13), 42-7B-15~~.

**20:18:12.01:18. Use of electronic communication devices prohibited.** The use of telephones or other electronic communication devices while seated at any licensed gaming table is prohibited. No electronic device may be placed on any licensed gaming device.

**Source:**

**General Authority:** SDCL 42-7B-7

**Law Implemented:** SDCL 42-7B-7, 42-7B-11(13).

## CHAPTER 20:18:14.01

### TOURNAMENTS

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**20:18:14.01:03. Statement to executive secretary.** Before a game or slot tournament begins, the licensee must submit to the executive secretary a written statement containing the rules, places which will be declared winners, betting structure of tournament, additional buy-in opportunities, disbursements of the prize money, and the dates of the tournament. However, if the tournament buy-in is \$50 or less per player, the dates on which the tournament may be conducted are at the discretion of the licensee.

Before a slot tournament begins, the licensee must also notify the executive secretary in writing of the number of slot machines involved in the slot tournament and must identify each machine by make, model, serial number, and South Dakota stamp identification number.

Before a game tournament begins, the licensee must also notify the executive secretary in writing of the number of tables involved in the game tournament and must identify each table by its South Dakota stamp identification number.

**Source:** 19 SDR 21, effective August 20, 1992; 19 SDR 177, effective May 27, 1993; 32 SDR 32, effective August 30, 2005; 34 SDR 200, effective January 29, 2008.

**General Authority:** SDCL 42-7B-7, 42-7B-11(13).

**Law Implemented:** SDCL 42-7B-9.1, 42-7B-11(13), 42-7B-15.

**20:18:14.01:04. Buy-in results in player's receipt of chips.** As a result of a player's buy-in, the player receives a prescribed number of chips. Additional buy-ins are permitted in the executive secretary's discretion, however, unconditional additional buy-ins are prohibited.

**Source:** 19 SDR 21, effective August 20, 1992; 19 SDR 177, effective May 27, 1993.

**General Authority:** SDCL 42-7B-7.

**Law Implemented:** SDCL 42-7B-11, 42-7B-15.

**20:18:14.01:11. Random tournament seating.** Tournament seats will be randomly assigned by a method approved by the executive secretary.

**Source:**

**General Authority:** SDCL 42-7B-7

**Law Implemented:** SDCL 42-7B-7, 42-7B-11(13).

## **CHAPTER 20:18:15 BLACKJACK**

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**20:18:15:02. Cards.** The value of the cards contained in a deck of cards is as follows:

- (1) A card from 2 to 10 has its face value;
- (2) A jack, queen, or king has a value of 10; and
- (3) An ace has a value of 11 unless that would give a player or the dealer a score in excess of 21, in which case it has a value of one.

A standard blackjack deck must contain 52 cards in four suits, hearts, diamonds, clubs, and spades, with each suit consisting of numerical cards from 2 to 10 and a jack, a queen, a king, and an ace.

The back of the cards must display a mirror image design approved by the executive secretary.

More than one deck of cards may be used for play at blackjack.

Any cards which have been opened and placed on a blackjack table shall be removed from play and cancelled at least once every twenty-four (24) hours.

**Source:** 16 SDR 57, effective October 1, 1989; 23 SDR 126, effective February 13, 1997.

**General Authority:** SDCL 42-7B-7, 42-7B-11.

**Law Implemented:** SDCL 42-7B-3, 42-7B-4, 42-7B-7, 42-7B-15.

**20:18:15:30.11. Variations of the play -- Dead Man's Hand blackjack.** Dead Man's Hand is a variation of the game of blackjack and must be dealt and played following the standard rules of blackjack except as follows:

- (1) Dead Man's Hand blackjack is an optional bet for blackjack.
- (2) Dead Man's Hand blackjack must only be played on tables displaying the Dead Man's Hand styled table layout. The game shall be played using one, two, five, six or eight standard 52-card decks.
- (3) At the discretion of the retail licensee, players who wish to place a tip bet for the dealers on the Dead Man's Hand bet will be paid at the same odds as the player's winning bet. The retail licensee may require tip bets to be in an even dollar amount and may limit the maximum amount of such tip bets.



- (4) At the same time a player makes a standard blackjack bet, the player has an opportunity to make an additional optional bet in an even dollar amount known as the Dead Man's Hand. The minimum and maximum amounts of the Dead Man's Hand bet permitted shall be posted on the table signage and cannot be more than the original blackjack bet.
- (5) If the player is playing more than one hand, the same number of Dead Man's Hand bets can be made. Players that have made the Dead Man's Hand bet and are not dealt at least one ace or one eight on their initial first two cards will lose their Dead Man's Hand bet.
- (6) Players who make the Dead Man's Hand bet will win if one of the player's first two cards dealt is an ace or an eight and will be paid according to the posted pay table. Players will also win and be paid according to the posted pay table if the dealer has a blackjack and the player's first two cards are an ace and an eight, a pair of aces, or a pair of eights.
- (7) Players who have been dealt a pair of aces or a pair of eights can chose to split their hands. No additional Dead Man's Hand bet is required to split these hands. Splitting pairs will be handled as follows:
- (a) Standard house policy will apply to splitting pairs.

- (b) Players may split pairs up to three times for a maximum of four hands.
- (c) If a player splits a pair of eights and then receives cards that bust the hand, the dealer will remove the cards that busted the hand and leave the initial eights in a horizontal position. Once the player has completed taking hits, the dealer will calculate the winning pay out according to the posted pay table and pay the player accordingly.
- (d) Players will be paid for the number of aces or eights, or both which the player has been dealt when all splitting is done.
- (e) If the player splits but does not receive any additional aces or eights, the player will be paid for their initial pair of aces or eights according to the posted pay table.
- (f) Depending on the pay table the retail licensee chooses to use, the objective of the game is to be dealt four sets of either aces or eights, or both after splitting the player's initial pair of aces or eights.
- (g) The game then continues to the next player.
- (8) Players who make the Dead Man's Hand bet and are dealt a pair of aces or a pair of eights may choose not to split the pair and complete the hand according to the player's preference. These

hands will be paid double the payout for just one ace or one eight on the player's first two cards according to the posted pay table.

(9) Pay table:

	<u>Pay table 1</u>	<u>Pay table 2</u>	<u>Pay table 3</u>	<u>Pay table 4</u>	<u>Pay table 5</u>
4 – Sets of A-8's				<u>500 to 1</u>	<u>500 to 1</u>
3 – Sets of A-8's				<u>250 to 1</u>	<u>250 to 1</u>
2 – Sets of A-8's	<u>50 to 1</u>	<u>25 to 1</u>	<u>50 to 1</u>	<u>25 to 1</u>	<u>50 to 1</u>
1 – Set of A-8's	<u>14 to 1</u>	<u>4 to 1</u>	<u>4 to 1</u>	<u>4 to 1</u>	<u>5 to 1</u>
A-A or 8-8 with only A-8 after split	<u>3 to 1</u>	<u>4 to 1</u>	<u>4 to 1</u>	<u>4 to 1</u>	<u>4 to 1</u>
A-A or 8-8 no split	<u>3 to 1</u>	<u>4 to 1</u>	<u>4 to 1</u>	<u>4 to 1</u>	<u>4 to 1</u>
Any A or 8 (first 2 cards)	<u>3 to 2</u>	<u>2 to 1</u>	<u>2 to 1</u>	<u>2 to 1</u>	<u>2 to 1</u>
Pair of aces or Pair of 8's and Dealer Blackjack	<u>50 to 1</u>	<u>50 to 1</u>	<u>50 to 1</u>	<u>50 to 1</u>	<u>50 to 1</u>

**Source:**

**General Authority:** SDCL 42-7B-4(3), 42-7B-7.

**Law Implemented:** SDCL 42-7B-4(3), 42-7B-7, 42-7B-15.

**20:18:15:30.12. Variations of the play – War blackjack.** War Blackjack is a variation of the game of blackjack and must be dealt and played following the standard rules of blackjack except as follows:

(1) War blackjack may only be played on tables displaying the War blackjack table layout.

- (2) Prior to the start of each round of blackjack, each play may place a voluntary War blackjack wager on the designated spot on the table layout at the same time the player's primary wager is made and before any cards are dealt.
- (3) The dealer deals one card to each player and one card to himself. If the player's card is higher than the dealer's the player wins 1 to 1. Aces are low on the War portion of the game.
- (4) If a player wins the player may either take the winnings or add the War wager and winnings to the player's blackjack wager.
- (5) The dealer then deals the second card to each player and themselves and regular blackjack is played.

**Source:**

**General Authority:** SDCL 42-7B-4(3), 42-7B-7.

**Law Implemented:** SDCL 42-7B-4(3), 42-7B-7, 42-7B-15.

## **CHAPTER 20:18:16 POKER**

### Section

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20:18:16:08	Shuffle and cut of the cards.
20:18:16:09	Ante.
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20:18:16:11.01	The play -- Omaha.
20:18:16:11.02	The play -- Pineapple/Crazy Pineapple poker - high or high-low split.
20:18:16:11.03	The play -- Super eight poker.
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20:18:16:13	The play -- Five-card stud poker.
20:18:16:14	The play -- Seven-card low stud poker and seven-card high stud poker.
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20:18:16:15.02	The play -- Three-card poker.
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20:18:16:15.05	The play -- Caribbean stud poker.
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20:18:16:15.07	The play -- Twisted Pineapple poker.
20:18:16:15.08	The play -- Texas Shootout poker, a variation of Texas Hold 'em poker.
20:18:16:15.09	The play -- Silverado Stud poker.
20:18:16:15.10	The play -- Four-Card poker.
20:18:16:15.11	The play -- Hold 'em 212 poker.
20:18:16:15.12	The play -- Texas Hold 'em Bonus poker.
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20:18:16:31.01	Exposing hand.
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20:18:16:32.01	Bad beat pots and pool pots.
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20:18:16:35	Faced card.
20:18:16:36	Time limit.
20:18:16:37	Posting of rules.
20:18:16:38	House game rules.
20:18:16:39	Player rules.
20:18:16:40	Maximum number of players.
20:18:16:41	Proposals for variations.
20:18:16:42	Changing dealers at poker tables.
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20:18:16:44.01	Drop box requirements.
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20:18:16:45.01	Restrictions on use of shills and proposition players.
20:18:16:46	Repealed.
20:18:16:46.01	Use of lammers.
20:18:16:46.02	Poker podium procedures.
20:18:16:47	Repealed.
20:18:16:48	Statistics.

**20:18:16:06. Cards.** The cards in the game of poker must be one complete standard deck of 52 cards. A joker may be used. The design on the backs of the cards in the deck must be identical, and no card may contain any marking, symbol, or design that enables a player to know the identity of any element printed on the face of the card. The backs of the cards may contain a logo. The backs of the cards in the deck must be designed to eliminate the ability of any person to place concealed markings on them. No retail licensee may use cards that are taped, cut, shaved, marked, defaced, bent, crimped, or deformed.

Any cards which have been opened and placed on a poker table shall be removed from play and cancelled at least once every twenty-four (24) hours.

**Source:** 16 SDR 57, effective October 1, 1989.

**General Authority:** SDCL 42-7B-7.

**Law Implemented:** SDCL ~~42-7B-1, 42-7B-2, 42-7B-3, 42-7B-4,~~  
42-7B-7, 42-7B-11(13), ~~42-7B-14,~~ 42-7B-15.

**20:18:16:39. Player rules.** A retail licensee must post the following rules for players:

- (1) A player must be at least 21 years of age;
- (2) No side bets are permitted; ~~and~~

- (3) No credit is extended-;
- (4) The use of telephones or other communication devices at the table is prohibited;
- (5) The placement of any electronic devices on the table is prohibited;
- (6) Speaking English-only will be enforced during the play of hands; and
- (7) Ethical play: soft play will result in penalties which may include either chip forfeiture or disqualification or both. Chip dumping and other forms of collusion will result in disqualification.

**Source:** 16 SDR 57, effective October 1, 1989; 18 SDR 9, effective July 23, 1991.

**General Authority:** SDCL 42-7B-7.

**Law Implemented:** SDCL ~~42-7B-1, 42-7B-2, 42-7B-2.1, 42-7B-3, 42-7B-4,~~ 42-7B-7, 42-7B-11(13), ~~42-7B-14,~~ 42-7B-15.



## **CHAPTER 20:18:08.01**

### **EXCLUSION LIST**

#### Section

<u>20:18:08.01:01</u>	<u>Preparation of exclusion list.</u>
<u>20:18:08.01:02</u>	<u>Criteria for exclusion.</u>
<u>20:18:08.01:03</u>	<u>Distribution and contents of the exclusion list.</u>

**20:18:08.01:02. Criteria for exclusion.** The criteria to be applied by the commission for inclusion of a person on the exclusion list are those set forth in SDCL 42-7B-61, any one of which is sufficient for placement on the list.

The commission, in its discretion, may establish evidence of notorious or unsavory reputation, as that term is used in SDCL 42-7B-61(3), by identification of a person's criminal activities in published reports of state and federal legislative and executive bodies that have inquired into various aspects of criminal activities and in the reports or investigations of state and federal law enforcement agencies that have inquired into or investigated criminal activities. These may include but are not limited to any state or federal crime commissions, legislative studies or legislative subcommittee studies on crime, any presidential commission on crime, and any state or federal law enforcement agencies or authorities reports.

The commission, in its discretion, may establish evidence of conduct that would adversely affect public confidence that gaming is conducted honestly, as that term is used in SDCL § 42-7B-61(4), by any one of the following criteria:

1. The person's character, background or past activities are incompatible with the maintenance of public confidence and trust in the credibility, integrity and stability of licensed gaming;
2. The person's character, background or past activities could reasonably be expected to impair the public perception of, and confidence in, the strict regulatory process created by SDCL Ch. 42-7B and ARSD Ch. 20:18;
3. The person's character, background or past activities could create or enhance a risk of the fact or appearance of unsuitable, unfair or illegal practices, methods or activities in the conduct of gaming or in the business or financial arrangements incidental thereto; or
4. Any other factor reasonably related to the maintenance of public confidence in the efficacy of the regulatory process and the integrity of gaming operations, the gaming industry and its employees.

Race, color, creed, national origin or ancestry, or sex shall not be a reason for inclusion of a person upon the exclusion list.

Before a name is placed on the exclusion list, the commission shall first informally review the information or evidence in its possession and make a

determination that there is sufficient reason to believe that any one of the criteria specified in SDCL 42-7B-61 is applicable to the candidate. At least three commission members shall concur in such decision at an informal investigative hearing conducted by the commission which may be conducted in executive session. No formal meeting of the commission shall be required to reach such a decision.

**Source:**

**General Authority:** SDCL 42-7B-7

**Law Implemented:** SDCL 42-7B-7, 42-7B-11(11), 42-7B-61.

**20:18:08.01:03. Distribution and contents of the exclusion list.** The exclusion list shall be open to public inspection and shall be distributed to:

1. Every gaming establishment licensed by the South Dakota commission on gaming;
2. Law enforcement agencies situated in Lawrence County; and
3. All tribal gaming commissions situated in the state of South Dakota.

Where available, the following information and data shall be provided for each excluded person:

1. The full name and any aliases the person is believed to have used;

2. A description of the person's physical appearance, including height, weight, type of build, color of hair and eyes, and any other known physical characteristics which may assist in the identification of the person;
3. Date of birth;
4. The effective date the person's name was placed on the list; and
5. A photograph of the person and the date thereof.

**Source:**

**General Authority:** SDCL 42-7B-7

**Law Implemented:** SDCL 42-7B-7, 42-7B-11(11), 42-7B-61.